

## **CLYDESDALE HOUSING ASSOCIATION LIMITED**

**Policy:** Equal Opportunities Policy

**Date:** 7 December 2022

**Lead Officer:** Chief Executive Officer

**Review Date:** December 2025

**Regulatory Standards:** **Standard 1**  
The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

### **Guidance**

- 1.1 The governing body sets the RSL's strategic direction. It agrees and oversees the organisation's business plan to achieve its purpose and intended outcomes for its tenants and other service users.
- 1.2 The RSL's governance policies and arrangements set out the respective roles, responsibilities and accountabilities of governing body members and senior officers, and the governing body exercises overall responsibility and control of the strategic leadership of the RSL.
- 1.3 The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out below.
- 1.4 All governing body members accept collective responsibility for their decisions.
- 1.5 All governing body members and senior officers understand their respective roles, and working relationships are constructive, professional and effective.
- 1.6 Each governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL.
- 1.7 The RSL maintains its independence by conducting its affairs without control, undue reference to or influence by any other body (unless it is constituted as the subsidiary of another body).

### **The Scottish Social Housing Charter**

#### **1: Equalities**

Social landlords perform all aspects of their housing services so that:

- Every tenant and other customer has their individual needs recognized, is treated fairly and with respect, and receives fair access to housing and housing services.

**Clydesdale Housing Association will provide this policy on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.**

## **Contents**

	<b>Page</b>
1. Introduction	3
2. Aims and Objectives	3
3. Legal Requirements	3
4. Discrimination	4
5. Governance and Representation	4
6. Equal Opportunities in CHA's Services	5
7. Equal Opportunities in Employment	6
8. Equal Opportunities in Contracts with Third Parties	8
9. Implementation of the Equal Opportunities Policy	9
10. General Data Protection Regulation	11
11. Continuous Improvement	11
12. Policy Review	11

## **Appendices**

- I. Person Centered Plan

## **1. Introduction**

- 1.1 This Policy describes how CHA will provide equality of opportunity and fair treatment for all. This includes:
- Everyone who uses, or wishes to use our services.
  - Everyone who works for us, or who applies to work for us.
- 1.2 The Policy is informed by best practice and legislation, including the Equality Act 2010 and Human Rights Act 1998.

## **2. Aims and Objectives**

- 2.1 In developing and implementing policies covering all aspects of our work, CHA will ensure that our strong principles and commitment to equality of opportunity are evident.
- 2.2 We are strongly committed to tackling discrimination, whether direct or indirect. As an organisation which seeks to promote equality, we recognise and encourage diversity.
- 2.3 We will strive to achieve equality of opportunity and treatment for all in all that we do. We will do this irrespective of any protected characteristic a person might have or be perceived to have.
- 2.4 We will consider the needs of hard to reach groups and will make reasonable adjustment, if possible, to assist people to work here and to access our services.
- 2.5 We will combat discrimination and adapt the ways that we work to reflect the needs of all sections of our community.
- 2.6 Our Policy on equal opportunities is based on the following overarching objectives:
- We will adopt policies, procedures and working practices which are responsive to the needs of our clients and staff.
  - We will seek to ensure effective leadership and direction which translates our equalities objectives into effective action.
  - We will make equal opportunities a mainstream part of our work as an employer and service provider.
  - We will meet our legal obligations and will go beyond these to achieve good practice in equalities issues.
  - We will listen to the views and needs of our tenants, Management Committee members and staff when reviewing our policies, plans and service standards.
  - We will monitor our performance closely to ensure that all groups have equal access and experience fair outcomes.
  - We will be open and realistic in identifying where we can make improvements.

## **3. Legal Requirements**

- 3.1 CHA takes account of all applicable legislation, including the Equality Act 2010, the Human Rights Act 1998 and relevant Codes of Practice issued by the Equality and Human Rights Commission.

3.2 Our Policy recognises the protected characteristics as defined by the Equalities Act:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

#### 4. Discrimination

4.1 We will ensure all our policies and procedures comply with legislative requirements.

4.2 We will ensure that no direct or indirect discrimination results from the implementation of policies and procedures and we will take all reasonable steps to adapt our service delivery where any form of discrimination might occur.

- **Direct Discrimination** happens when a person is treated less favourably than another person because of a protected characteristic in the same or similar circumstances. The Equality Act 2010 extends Direct Discrimination to disability but not to pregnancy/maternity and marital status/civil partnerships.
- **Indirect Discrimination** happens when a policy, provision, practice or criterion is applied equally to everyone, but:
  - it can only be met by a considerably smaller proportion of people from particular equality groups.
  - is to their detriment and results in disadvantage and/or exclusion.
  - and cannot be objectively justified.
- **Dual discrimination** makes it possible for an individual to claim that they have been directly discriminated against because of a combination and maximum of two protected characteristics, this does not, however, apply to indirect discrimination.
- **Discrimination by Association/Perception** - Direct discrimination can also occur when a person is treated less favourably because of a protected characteristic even though that person does not have the characteristic. This includes a person being treated less favourably because they are linked or associated with someone who has a protected characteristic.

#### 5. Governance and Representation

##### Policy Objectives

- 5.1 As a community controlled housing association, we wish to be representative of, and accountable to, all sections of the communities we serve and welcome opportunities to include people with Protected Characteristics in our organisation.

### **Membership of the Association and the Management Committee**

- 5.2 CHA's area of operation is described in our Rules. Members are eligible to stand for election to the Management Committee, as described in the Rules. The Management Committee annually assesses the skills, knowledge, diversity and objectivity that it needs for its decision-making, what is contributed by continuing governing body members, and what gaps there are that need to be filled. The Management Committee will seek to recruit people who will best fill these gaps.
- 5.3 Membership of the Management Committee also depends on an individual's willingness to attend meetings on a voluntary basis, and to participate in regular learning and development activities.

### **Being representative in decision-making**

- 5.4 CHA's approach to ensuring that all sections of the community are represented in its decision-making structures is as follows:
- We will monitor trends in the composition of the Management Committee in a non-intrusive way, based on members' age, gender, race and disability.
  - We will identify what positive action we can take to promote changes in the composition of the Management Committee.
  - We will disseminate information regularly about CHA, its work, how it makes decisions and how people can become involved.
  - We will provide opportunities for participation at different levels. For example, if people wish to contribute on particular issues without being members of the Management Committee, we will explore how this can be achieved. This may include supporting individuals or groups, to help develop the skills or confidence people may need before they feel ready to participate in the Management Committee.
  - Where we identify barriers to participation, we will set specific objectives and targets, to increase participation by under-represented sections of the community.
  - We will provide new members of the Management Committee with induction training and support. We will provide members with ongoing support, where this is needed to ensure their continued involvement.
  - When members leave the Management Committee, we will analyse the reasons why.
  - We will consider using co-options as a way of including under-represented groups on the Management Committee.
  - We will provide all members of our Management Committee with training on equal opportunities and diversity. Members must show a positive commitment to upholding equal opportunities.

## **6. Equal Opportunities in CHA's Services**

- 6.1 Our key aims in providing services are:

- To provide fair and equal access to our services for all.
- To ensure that nobody suffers disadvantage because of any protected characteristic they might have or be perceived to have.
- To set clear service standards through written policies and procedures.
- To consult in an inclusive way with service users about what service standards should be adopted.
- To “equality proof” our service policies and procedures as a matter of routine, so that we identify and act upon any distinctive needs which equalities groups may have.
- To measure the outcomes we achieve in practice, for example, this will cover access to services for different sections of the community, the quality of the services they receive, and satisfaction levels with our services.

## **Achieving Fair Service Outcomes**

- 6.2 Promoting equal opportunities means more than simply offering the same service to everyone. We will assess how our service policies and practices impact on groups and individuals, to ensure we do not inadvertently disadvantage any section of the community. We will adjust our approach where necessary to achieve fair access to services, and fair service outcomes.

### **Policies and Procedures**

- 6.3 Many of our policies and procedures already state our commitment to equal opportunities. They also describe how we will make adjustments to service delivery methods for people with the protected characteristics described in the Equality Act 2010.

## **7. Equal Opportunities in Employment**

### **Policy Objectives**

- 7.1 CHA recognises that discrimination, both direct and indirect, can occur against disadvantaged groups of people in the field of employment.
- 7.2 We aim to be an equal opportunity employer and adopt fair and compliant processes. This means that we will:
- ensure we have access to the widest possible labour market
  - secure the best employees for CHA’s needs
  - ensure that no applicant or employee receives less favourable treatment and that, wherever possible, we assist applicants to compete for jobs on a genuine basis of equality and give our staff the help they need to attain their full potential
  - achieve an ability-based workforce which welcomes diversity.

### **Legal Obligations and Good Practice**

- 7.3 We will ensure that the procedures we follow in all aspects of employment are fully consistent with the Guidance, specifically:
- Vacancy advertising
  - Selection and recruitment, including health screening

- Training
- Conditions of service
- Reasons for termination of employment

7.4 CHA welcomes job applications from people with disabilities and will make the following commitments:

- We will interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities.
- We will make every effort to support employees who become disabled by considering their needs via our Person Centred Planning process (**Appendix I**) and will make any reasonable adjustments which might allow someone with a physical disability to work at CHA.
- We will take action to ensure that all employees develop disability awareness.
- We will review our commitments on a planned basis to:
  - consider what has been achieved
  - plan ways to improve
  - let Management Committee members and employees know about progress and future plans

### **Vacancy advertising**

7.5 Wherever possible, we will advertise vacancies simultaneously, internally and externally. We will aim to ensure that underrepresented groups are made aware of vacancies. All vacancy advertisements will include an appropriate short statement on equal opportunity.

### **Selection and recruitment**

7.6 We will use selection criteria based on job descriptions and employee specifications. These will focus on essential skills for the effective performance of the job.

7.7 We will keep job descriptions and person specifications under regular review to ensure they continue to be consistent with our non-discriminatory objectives.

7.8 All participants in selection interviews and the recruitment process will have received training in equal opportunities. Wherever possible, more than one person will be involved in the selection interview and recruitment process.

7.9 We will make selection and recruitment decisions with reference to the job descriptions and person specifications for the post and will record reasons for selection and rejection of candidates for vacancies.

7.10 We will only ask health related questions to allow us to assist candidates during the recruitment process and to ensure reasonable adjustment can be made to accommodate the person and to ensure the person is able to carry out essential aspects of the role.

7.11 Our recruitment procedures provide further guidance for those involved in selection and recruitment.

### **Positive action - Training, Promotion and Conditions of Service**

- 7.12 We will encourage underrepresented groups to apply for training and employment opportunities with CHA. Where appropriate, we will provide detailed information to allow people to compete on genuinely equal terms for jobs and promotion. Recruitment to all jobs will be strictly on merit.
- 7.13 Wherever possible, we will remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the needs of disadvantaged and/or underrepresented groups.
- 7.14 CHA has adopted flexible working arrangements. We will respond positively to the diverse needs of our workforce, to help them achieve an appropriate balance between work and home life.

### **Personnel and monitoring records**

- 7.15 We will collect monitoring information about the profile of employees and job applicants, to help assess whether its policy aims are being achieved.
- 7.16 We will analyse this information on a regular basis to identify any required action to eliminate discrimination and promote equality of opportunity. We will follow procedures which reflect the law on data protection and access to personal information. The procedures will involve:
- Recording the composition of selection panels.
  - Asking all job applicants to complete a monitoring form which provides information about their ethnic origin, and disability.
  - Analysing the overall profile of the workforce in relation to ethnic origin, gender, age and disability, to help identify under-represented groups
  - Analysing outcomes in recruitment and promotions.
  - Maintaining records of selection processes for at least twelve months after an appointment has been made.
  - Destroy individual job applications for unsuccessful candidates after 6 months.

### **Harassment**

- 7.17 CHA's Code of Conduct for Staff aims to ensure that no employee is subjected to any form of harassment. In accordance with this Policy and the Code of Conduct we will take positive action to counter harassment should it occur.

## **8. Equal Opportunities in Contracts with Third Parties**

### **Policy Objectives**

- 8.1 CHA wishes to promote equality across all its activities. This applies whether we deliver services directly or if we contract elements of our work to contractors, sub-contractors, voluntary organisations or consultants.

### **Summary of our policy actions**

- 8.2 We will make contractors and consultants aware of our overall policy on equal opportunities and of any specific requirements which are relevant to the works or services which are being procured.

- 8.3 We will specify particular requirements relating to the conduct of employees, customer satisfaction, and overall standards of customer care.
- 8.4 We will aim to employ contractors and consultants who meet our requirements. This will always involve asking potential contractors and consultants to provide details of their equal opportunities policies. For small organisations employing less than 10 people, it will be acceptable for the organisation to confirm its willingness to operate in accordance with our policy and any additional requirements which are specific to the nature of the contract.
- 8.5 Where a potential contractor or consultant has 10 or more employees, we will expect the company to demonstrate its performance in equalities issues. This includes:
- Information on the ethnic origin and gender of directors and employees.
  - Whether the organisation's premises are accessible to disabled people.
  - Details of any action the organisation has taken to promote equality of opportunity in the recent past.
  - How acts of discrimination or harassment by employees are dealt with in the organisation's employment policies.
  - Compliance with the Equality Act 2010
  - What steps the organisation has taken to prohibit discrimination, harassment and victimisation due to a protected characteristic as defined by the Equality Act 2010.
- 8.6 We will use equalities clauses in contract documentation. These will require contractors and consultants to comply with our policies in relation to equal opportunities, discrimination and harassment, in relation to other employees and members of the public.
- 8.7 We will remove organisations from our approved list if there are serious or persistent breaches.

## **9. Implementing the Equal Opportunities Policy**

- 9.1 CHA's Management Committee is responsible for approving the Equal Opportunities Policy, and for reviewing the results which are achieved.
- 9.2 On a day to day basis, the management team have lead responsibility for ensuring that the policy is implemented effectively.
- 9.3 Every member of staff is responsible for ensuring that the Policy is applied in practice.
- 9.4 We will provide training to all members of staff about our equal opportunities policy, this will include Diversity Awareness training.
- 9.5 Staff involved in recruitment will receive specific training relating to employment.
- 9.6 We will provide a copy of this Policy statement to all employees, and will clearly communicate requirements to new employees as part of induction procedures. All employees will be required to provide a signed statement confirming that they have read and understood the policy and will comply with it.

9.7 We will regard behaviour or actions which are inconsistent with this Policy, or the values on which it is based, as serious disciplinary matters. Our Code of Conduct for staff members provides further information about the standards of personal conduct which are required, and the possible consequences of failing to uphold equal opportunities.

### **Equalities Action Plan**

9.8 Our Equalities Action Plan covers a 3-year period and sets out the specific equalities objectives across all aspects of CHA's work. The Action Plan:

- Details the actions we will take to meet these objectives and achieve continuous improvement in performance
- Includes targets and performance indicators which describe the outcomes we are aiming to achieve.

9.9 We will conduct a half-yearly review of the Action Plan to assess the progress we are making.

### **Equalities Monitoring**

9.10 We will collect and analyse data about the characteristics of our staff and will use monitoring information to:

- highlight possible inequalities
- allow the underlying causes to be investigated
- remove any unfairness or disadvantage

9.11 We will monitor CHA's performance in the following areas:

- access to, and satisfaction with, services based on ethnicity and disability
- whether our membership, governing body and employees are representative of the communities we serve based on ethnicity, disability, gender and age.

### **Measuring and reporting our performance**

9.12 We will monitor its performance in implementing its Equal Opportunities Policy and Equalities Action Plan at a number of levels:

- Equalities outcomes will be recorded and considered following recruitment exercises for individual posts.
- Performance in service delivery will be monitored on an ongoing basis by the Management Team. This will generally involve monitoring practice and outcomes in individual service areas for a finite period.
- An annual report will be presented to the Management Committee, summarising performance in achieving the objectives and targets in the Equalities Action Plan. This will include information about:

- The profile of CHA's staff and governing body

- Housing applications and allocations
- Satisfaction with services
- Evictions
- Reports of racist incidents and outcomes
- Reports of harassment on other grounds and outcomes
- Complaints by service users

9.13 We will report on our performance to tenants and other service users, through the CHA's Annual Report and newsletters, and at relevant public events.

## 10. General Data Protection Regulation

10.1 The Association will treat personal data in line with our obligations under the current data protection regulations and our own Equal Opportunities Policy. Information regarding how your data will be used and the basis for processing your data is provided in Clydesdale Housing Association's Privacy Policy.

## 11. Continuous Improvement

11.1 CHA is committed to achieving continuous improvement in its equal opportunities performance.

11.2 Our Equalities Action Plan will be reviewed annually, as described above and will be monitored on a 6-monthly basis in line with our Performance Management Framework.

11.3 We may alter targets, procedures and working methods outside the policy review cycle, where monitoring of policy outcomes indicates that this is needed.

11.4 In revising this Policy, we will take account of any views or representations from local people, groups and organisations and we will also seek feedback from tenants about the operation of the policy through regular satisfaction surveys and any other appropriate methods.

## 12. Policy Review

12.1 We will review our Equal Opportunities Policy every three years, or more frequently if required.

<b>Approved by the Committee of Management on:</b>	
<b>Signed:</b>	<b>Signed:</b>
<b>Secretary/Chairperson</b>	<b>Chief Executive/Senior Staff Member</b>



### Person Centred Plan

<b>Staff member</b>	
<b>Position</b>	
<b>Telephone number</b>	
<b>Mobile number</b>	
<b>Address</b>	
<b>Email</b>	
<b>Plan prepared by</b>	
<b>Date</b>	
<b>Review Date</b>	

### Emergency Contacts

<b>Name</b>	<b>Relationship</b>	<b>Contact Details</b>

### Other Key Contacts

<b>Name</b>	<b>Relationship</b>	<b>Contact Details</b>

<b>Nature of your condition</b>

<b>How does your condition currently affect you at work?</b>

<b>Is this likely to change over time?</b>

<b>Are alterations to your work location required such as automated doors, ramps, quiet spaces, alternative formats of signage or directions around the building?</b>

<b>Do you require modified or specialist equipment, for example, supportive chair, height-adjustable desk etc.</b>

<b>Do you require support with communication, for example, specialist equipment or interpreter for people who have a hearing, speech or visual impairment.</b>

**Do you anticipate the need for time off during working hours, for example, for hospital appointments, physiotherapy, counselling or other treatment.**

**Do you anticipate the need for any adjustments to working hours.**

**Do you require specific training or other practical support to help you with any new adjustments?**